

March 18, 2004

Image 1631
 PATENT APPLICATION
 DOCKET NO. 2825.1014-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.: 09/525,142

Group: 1631

Filed: March 14, 2000

Examiner: Shubo Zhou

Confirmation No.: 8330

For: Methods and Apparatus for Analyzing Gene Expression Data

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>3/18/04</u> Date	<u>Rachel Meehan</u> Signature
RACHEL MEEHAN Typed or printed name of person signing certificate	

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	19	MINUS	* 20	0	X \$ 9	\$		X \$18	\$ 0
INDEP	3	MINUS	** 3	0	X \$42	\$		X \$84	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$140	\$		+ \$280	\$

* not fewer than 20

** not fewer than 3

TOTAL = \$ 0TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for two months Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mary Lou Wakimura
Mary Lou Wakimura
Registration No.: 31,804
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 3/18/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.: 09/525,142 Group: 1631

Filed March 14, 2000 Examiner Shubo Zhou

Confirmation No.: 8330

For: Methods and Apparatus for Analyzing Gene Expression Data

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>3/18/04</u> Date	<u>Rachel Meehan</u> Signature
<u>RACHEL MEEHAN</u> Typed or printed name of person signing certificate	

REPLY TO OFFICE COMMUNICATION

MS NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This Reply is being filed in response to the Office Communication mailed from the U.S. Patent and Trademark Office on March 3, 2004 in the above-identified application. Reconsideration and further examination are requested.

The Amendment filed with the U.S. Patent and Trademark Office on January 16, 2004 was deemed non-responsive for not complying with the revised 37 C.F.R. 1.121. Specifically, the Amendment of January 16, 2004 failed to provide a complete list of claims, including the

ones previously cancelled, incorrectly numbered a newly added claim and failed to commence a complete list of claims on a separate sheet.

Applicants regret any inconvenience that this inadvertent error may have caused and believe that the instant Reply fully complies with 37 C.F.R. 1.121. The corrected Amendment including the substantive arguments is reproduced below.

Please amend the application as follows: